



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

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To: All California Employees

From: State Director

Subject: Identification and Filing of Official Records

Employees are hereby reminded that an official Department of the Interior document tracking system is not currently available for the management of official records. Until such time, the official record copy of directives, memoranda, letters, E-mail correspondence, etc. are to be forwarded to the office Records Manager or Docket Clerk for filing in the appropriate subject or case file. Incoming documentation requiring response is to be attached to the prepared response.

Employees at all levels of the organization are responsible for managing records in accordance with Federal laws and regulations. Daily we are using the electronic mail system to transact government business. The Federal Records Act applies to all records, regardless of media. **Official Records** are defined as documentary materials

- made or received in connection with the transaction of public business
- or
- determined to be of value because of the information they contain.

It is the responsibility of the employee when creating or receiving E-mail documents in connection with official business to determine if the document is a record or a non-record. Disposition instructions for records in all formats are contained in the records retention schedules as established by the BLM in conjunction with the National Archives and Records Administration (NARA). Electronic mail messages or attachments meeting the definition of a Federal record must be printed out to become part of the current official recordkeeping system (36 CFR, Section 1234.32) until an electronic recordkeeping system has been approved by the Department of the Interior. Regulations further prohibit the unlawful destruction of Federal Records (18 U.S.C. 2071). Attached you will find Departmental policy on managing E-mail documents, along with guidance on identifying record and non-record material.

Questions pertaining to this memorandum may be directed to the State Records Manager, Louise Tichy, through E-mail or at 916-978-4301.

Signed:
Mike Pool
State Director

Authenticated:
Liza Raymundo
Records Management

DEPARTMENT OF THE INTERIOR

POLICY AND GUIDANCE FOR
MANAGING THE CREATION, RETENTION, AND DISPOSITION
OF ELECTRONIC MAIL (E-MAIL) DOCUMENTS

EXECUTIVE SUMMARY

All Government employees and contractors are required by law to make and preserve records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the agency (Federal Records Act, or "FRA", 44 U.S.C. 3101 et seq.). In addition, Federal regulations govern the life cycle of these records: they must be properly stored and preserved, available for retrieval, and subject to appropriate approved disposition schedules.

All E-Mail documents are either records or non-records. Non-records are not subject to the FRA. Records are subject to the FRA and are appraised by the National Archives and Records Administration (NARA) as to whether temporary or permanent depending upon their value to the organization and to the Federal Government. Temporary records may be disposed of after an approved period of time, while permanent records must be offered to NARA for permanent retention after an approved period of time. Record schedules document authorized retention and disposition actions for Federal agency records.

DEPARTMENTAL POLICY. While the Department's (all bureaus and offices within the Department of the Interior) goal is to shift to electronic recordkeeping through the use of automated information systems, this goal is not yet achievable. Until an adequate system is available commercially to meet the needs of Federal agencies, **all E-Mail messages or attachments that meet the definition of a Federal record must be printed out (including essential transmission data) in paper form and filed with any/all related materials in the official paper filing system.**

The **Department of the Interior Network (DOINET)** and all other local and wide-area networks (subsequently referred to as "the Network") are Federal property and, as such, are to be used only for official business. The Network is the automated system on which documents are created and distributed. When creating, retaining and disposing of, distinguish between documents which are **records** from documents which are **non-records** in order to ensure appropriate retention and disposition. The following guidance will help users to make those determinations and provide instructions for proper preservation and or disposition of all E-Mail documents. The addendum to this attachment contains other records-related information relevant to understanding overall records management.

I. **Records** are books, papers, maps, photographs, machine readable materials, or other documentary materials, **regardless of physical form or characteristics** that are:

- a. Made or received by an agency of the United States Government under Federal law or in connection with the transaction of public business, and
- b. preserved or appropriate for preservation by that agency or its legitimate successors as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the Government or because of the informational value of data in them.

Based on their appraised value, records are categorized as either **temporary** or **permanent**. **Temporary records** may document agency operations (e.g., notices of meetings, quasi-official matters,

routine requests) or contain information of legal, administrative, or fiscal value to the agency. The retention period will vary. **Permanent records** contain substantive information of historic, intrinsic, or other enduring value beyond the needs of the Department. These records must be retained by the Department until the designated time they are to be transferred to NARA for permanent retention.

Disposition instructions for both **permanent** and **temporary** records are contained in an agency's **records control schedule** and must be followed when disposing of records in all forms, i.e., paper, maps, photographs, electronic, etc..

II. **E-mail Records.** The following are examples of E-Mail records which may be contained in the Network and must be preserved and disposed of in accordance with an agency's **records control schedule**.

- o E-Mail that documents reports or minutes of meetings (not notification of meetings), of significant decisions and commitments reached, or actions taken as a result;
- o E-Mail that facilitates action by agency officials and their successors in office;
- o E-Mail that makes possible a proper scrutiny by the Congress or other duly authorized agencies of the Government;
- o E-Mail that protects the financial, legal, and other rights of the Government and of persons directly affected by the Government's actions.
- o E-Mail that provides key substantial comments on a draft action memorandum, if the e-mail message adds to a proper understanding of the formulation or execution of Department action;
- o E-Mail that provides documentation of significant Department decisions and commitments reached orally (person to person, by telecommunications, or in conference) and not otherwise documented in Department files; and
- o E-Mail that conveys information of value on important Department activities, e.g., data on significant programs specially compiled by bureaus in response to a Department solicitation, if the E-Mail message adds to a proper understanding of Department operations and responsibilities.

III. Procedures for Preserving E-Mail Records

- o **Determine if the E-Mail message/attachments meet the legal definition of a record. If so, print it within 30 days, or less, if no longer needed on-line for reference purposes.**
- o **Be certain that the printed message contains the essential transmission data (i.e., sender of E-Mail, E-Mail recipients, date sent). If transmission and necessary receipt data is not printed by the particular E-Mail system, the paper copies must be annotated by hand to include such data.**
- o **File the printed message, transmission and receipt data, with related paper record files in the office.**
- o **If you are unsure that an E-Mail message is a record, treat it as a record and contact your Records Manager for assistance.**

IV. **Non-Records** are all materials that do not meet the conditions of record status. Non-records may be library and museum property made or acquired and preserved solely for reference or exhibition purposes,

extra copies of records preserved only for convenience or reference, and stocks of publications and of processed documents.

V. **E-Mail non-record** documents which may be created and/or stored in the Network include:

- o Documents that do not contain unique information or were not circulated for formal approval, comment, or action.
- o Blank forms, formats, or form letters stored on word processing or EMS systems used to facilitate the recreation of records on a recurring basis.
- o Duplicate copies of record materials (e.g. correspondence reading files) filed elsewhere in official files or maintained solely for ease of reference.
- o Personal work-related materials such as diaries, journals, calendars, schedules, draft documents that do not meet the criteria of a record for purposes of the FRA.
- o E-Mail that provides no evidence of agency functions and activities;
- o E-Mail that lacks information of value, or;
- o E-Mail that duplicates information documented in existing or subsequent records, and therefore is not unique.
- o **If you are unsure that an E-Mail message is a record, treat it as a record and contact your Records Manager for assistance.**

Non-record E-Mail are not subject to the FRA and should be filed separately from records and deleted when no longer needed.